

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

| | |
|------------------------|--------------------|
| Application Number | 10599447 |
| Filing Date | 2006-09-28 |
| First Named Inventor | Yoshinori MORIYAMA |
| Art Unit | NONE |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | Q97449 |

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

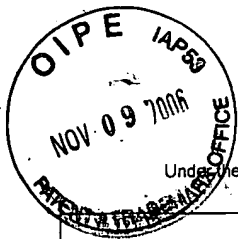
- ☐ See attached certification statement.
- ☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|------------------|---------------------|------------|
| Signature | /Peter D. Olexy/ | Date (YYYY-MM-DD) | 2006-11-09 |
| Name/Print | Peter D. Olexy | Registration Number | 24,513 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**



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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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U.S. PATENTS

| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
|-------------------|---------|---------------|------------------------|------------|---|--|
| | 1 | 6534304 | B1 | 2003-03-18 | Yamamoto et al. | |
| | 2 | 6225104 | B1 | 2006-11-08 | Cavaliere Vesely et al. | |
| | 3 | 5710132 | | 1998-01-20 | Moller et al. | |

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U.S. PATENT APPLICATION PUBLICATIONS

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| | 1 | | | | | |

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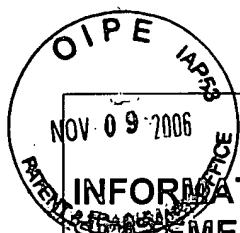
FOREIGN PATENT DOCUMENTS

| Examiner Initial* | Cite No | Foreign Document Number ³ | Country Code ² j | Kind Code ⁴ | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | T ⁵ |
|-------------------|---------|--------------------------------------|-----------------------------|------------------------|------------------|---|--|--------------------------|
| | 1 | JP 09-301887 | | | 1997-11-25 | Youshindou:KK; Toa Boshoku KK | | <input type="checkbox"/> |

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|--|----|----------------|--|----|------------|---|--|-------------------------------------|
| | 2 | JP 05-344864 | | | 1993-12-27 | Morinaga Milk Ind Co., Ltd. | | <input checked="" type="checkbox"/> |
| | 3 | JP 05-176713 | | | 1993-07-20 | Morinaga Milk Ind Co., Ltd. | | <input checked="" type="checkbox"/> |
| | 4 | JP 01-268641 | | | 1989-10-26 | Snow Brand Milk Prod Co., Ltd. | | <input checked="" type="checkbox"/> |
| | 5 | JP 2000-197469 | | | 2000-07-18 | New Food Creation Gijutsu Kenkyu Kumiai | | <input checked="" type="checkbox"/> |
| | 6 | JP 2000-189105 | | | 2000-07-11 | Takanashi Milk Products Co., Ltd. | | <input checked="" type="checkbox"/> |
| | 7 | JP 2002-332242 | | | 2002-11-22 | Morinaga Milk Ind Co., Ltd. | | <input checked="" type="checkbox"/> |
| | 8 | JP 2001-226289 | | | 2001-08-21 | Snow Brand Milk Prod Co., Ltd. | | <input checked="" type="checkbox"/> |
| | 9 | JP 08-099888 | | | 1996-04-16 | Snow Brand Mild Prod Co., Ltd. | | <input checked="" type="checkbox"/> |
| | 10 | JP 2001-226289 | | | 2001-08-21 | Snow Brand Milk Prod Co., Ltd. | | <input checked="" type="checkbox"/> |
| | 11 | EP 0 825 869 | | B1 | 1998-03-04 | Probi AB | | <input checked="" type="checkbox"/> |
| | 12 | WO 01/32836 | | A1 | 2001-05-10 | Valio Ltd | | <input checked="" type="checkbox"/> |



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|----|--------------|----|------------|----------------------------------|-------------------------------------|
| 13 | WO 03/090546 | A1 | 2003-11-06 | Mahdavi, J | <input checked="" type="checkbox"/> |
| 14 | WO 02/43753 | A1 | 2002-06-06 | Morinaga Milk Industry Co., Ltd. | <input checked="" type="checkbox"/> |

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NON-PATENT LITERATURE DOCUMENTS

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|--------------------|---------|--|--------------------------|
| | 1 | DATABASE CALPUS ON STN, ABSTRACT NO. 2001:79928 ABSTRACT & BARRETO, R., ET AL., 'EXPERIMENTAL ACUTE ALCOHOL PANCREATITIS-RELATED LIVER DAMAGE AND ENDOTOXINEMIA; PROTECTIVE EFFECT OF A PROBIOTIC BUT NOT OF METRONIDAZOLE', INTERNATIONAL MEDICAL JOURNAL (2000) VOL., 7, NO. 4, PAGES 251 TO 256 | <input type="checkbox"/> |
| | 2 | BULLETIN OF JAPAN DAIRY TECHNICAL ASSOCIATION; VOL. 51-2001; PAGES 1-21; LACTOFERRIN IN MILK; KEI-ICHI SHIMAZAKI; DAIRY SCIENCE LABORATORY; DEPARTMENT OF ANIMAL PRODUCT SCIENCE; GRADUATE SCHOOL OF AGRICULTURE; Hokkaido University; Kita-9, Nishi-9, Kita-ku, Sapporo 060-8589 | <input type="checkbox"/> |
| | 3 | HEAT STABILITY OF BOVINE LACTOFERRIN AT ACIDIC pH; HIROAKI ABE, ET AL.; NUTRITIONAL SCIENCE LIBRARY; 1991 J. DAIRY SCI 74:65-71 | <input type="checkbox"/> |

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|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
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¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.